

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN FLORA,

Petitioner,

v.

SANDRA CARTER,

Respondent.

Case No. C06-5020RBL

ORDER GRANTING PETITIONER'S  
MOTION TO AMEND TO ADD A  
CLAIM AND RESPONDENT'S  
MOTION FOR ADDITIONAL TIME  
TO FILE AN ANSWER

The petitioner in this action is seeking federal habeas corpus relief pursuant to 28 U.S.C. § 2254. This case has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636 (b) (1) (A) and 636 (b) (1) (B) and Local Magistrates' Rules MJR 3 and MJR 4. Before the court is petitioner's motion to add a claim. Petitioner argues the trial court judge did not have authority to sentence him outside the standard range in a bench trial. (Dkt. # 14). Respondent asks for additional time to answer the petition because files from the state court have not arrived. Both Motions are **GRANTED**.

Respondents counsel will address petitioners Blakeley argument as part of the answer. The answer will be due on or before **June 23<sup>rd</sup>, 2006**.

The clerk is directed to send a copy of this order to petitioner and counsel or respondent.

DATED this 15<sup>th</sup> day of May, 2006.

/S/ J. Kelley Arnold

J. Kelley Arnold

United States Magistrate Judge